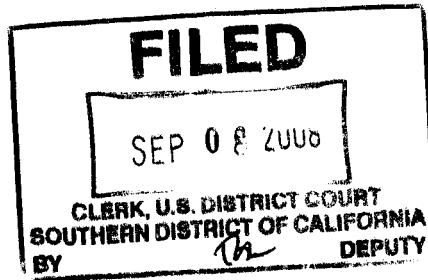


105A



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

08 MJ 88 19

UNITED STATES OF AMERICA,

Magistrate Case No.:

Plaintiff,

COMPLAINT FOR VIOLATION OF

v.

21 U.S.C. § 952 and 960

Donaciano Rosario MARTINEZ-Meza

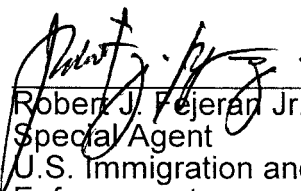
Importation of a Controlled Substance  
(Felony)

Defendant.

The undersigned complainant being duly sworn states:

That on or about September 5, 2008, within the Southern District of California, defendant Donaciano Rosario MARTINEZ-Meza, did knowingly and intentionally import approximately 30.46 kilograms (67.01 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Probable Cause Statement incorporated herein by reference.

  
Robert J. Fejeran Jr.  
Special Agent  
U.S. Immigration and Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE SEPTEMBER 8,  
2008.

  
PETER C. LEWIS  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Donaciano Rosario MARTINEZ-Meza

4 PROBABLE CAUSE STATEMENT

5 This complaint is based on the personal observations, investigation, and  
6 information furnished to U.S. Immigration and Customs Enforcement Special Agent  
7 Robert J. Fejeran, Jr.

8 On September 5, 2008, at approximately 1325 hours, Customs and Border  
9 Protection Officer (CBPO) K. Price was manning vehicle primary inspection lane #1 at  
10 the Calexico CA East Port of Entry (EPOE), when a 1995 Ford Explorer bearing  
11 California License plate CA/US 6EMP627 approached her lane for entry into the U.S.  
12 CBPO Price encountered the operator and sole occupant of the vehicle, Donaciano  
13 Rosario MARTINEZ-Meza. MARTINEZ gave CBPO Price a negative oral customs  
14 declaration, claimed ownership of the vehicle and presented his Lawful Permanent  
15 Resident (LPR) card to CBPO Price. CBPO Price swiped MARTINEZ's LPR card for  
16 documentation of his entry into the U.S. by the Treasury Enforcement Communication  
17 System (TECS). Upon swiping his card, CBPO Price received a positive TECS  
18 response for MARTINEZ. The TECS response indicated that MARTINEZ had tried to  
19 enter the U.S. through the Calexico West Port of Entry the day prior in another vehicle.  
20 The vehicle was seized as a result of the discovery of non factory compartments within  
21 the vehicle.

22 MARTINEZ and the vehicle were referred to vehicle secondary for further  
23 inspection. In vehicle secondary, a Human and Narcotic Detector Dog alerted to the  
24 gas tank of the vehicle. An x-ray examination was also conducted on the vehicle which  
25 displayed several anomalies within the gas tank. A search of the vehicle resulted in the  
26 discovery of an access plate underneath rear passenger seat. The plate was removed  
27 allowing access directly into the gas tank. Numerous packages were found in the gas  
28  
29

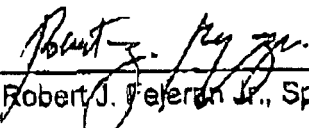
1 UNITED STATES OF AMERICA

2 v.  
Donaciano Rosario MARTINEZ-Meza

3  
4 tank upon removal of the access plate. One of the packages was probed producing a  
5 green leafy substance, which field-tested positive for the presence of marijuana. A total  
6 of seventeen (17) packages, with a total approximate weight of 30.46 kilograms (67.01  
7 pounds) of marijuana were removed from the vehicle.

8 MARTINEZ was advised of his rights per Miranda, which he acknowledged and  
9 waived. MARTINEZ admitted to knowledge of marijuana being hidden in the gas tank  
10 of his vehicle and that he knew it was illegal to smuggle marijuana into the U.S.  
11 MARTINEZ said he was to be paid \$1,500.00 dollars to the vehicle to Los Angeles, CA.  
12

13 Executed on September 6, 2008, at 0955 hours.  
14

15  
16   
17 Robert J. Fejeran Jr., Special Agent  
18 Immigration and Customs Enforcement

19  
20 On the basis of the facts presented in the attached probable cause statement  
21 consisting of 2 page(s), I find probable cause to believe that the defendant(s)  
22 named in this probable cause statement committed the offense on September 5, 2008,  
23 in violation of Title 21, United States Code, Sections 952 and 960.

24   
25 MELISSA S. PORTER

26 U.S. MAGISTRATE JUDGE  
27  
28  
29

9/6/08 Noon  
DATE/TIME